

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 MICHELE LEUTHAUSER,
5 Plaintiff,

6 vs.

7 UNITED STATES OF AMERICA; AND
8 UNKNOWN TRANSPORTATION SECURITY
9 ADMINISTRATION OFFICER,
10 Defendant.

2:20-cv-00479-JCM-VCF

ORDER GRANTING IN PART
DEFENDANTS' EMERGENCY MOTION
TO EXTEND DISPOSITIVE MOTION
DEADLINE No. 87

11 Defendants request that the dispositive motion deadline be continued to 30 days after defendant
12 Serrano's motion to dismiss (ECF No. 31) has been decided, or 30 days after an answer has been filed
13 by defendant Serrano, if one is required.

14 Plaintiff opposes this request and asks that the dispositive motion deadline be set for 7 days from
15 the date this order is entered.

16 For the reasons stated below, dispositive motions, including any motion challenging the United
17 States Attorneys' certificate filed in this case (ECF No. 86), must be filed on or before July 1, 2021. The
18 joint pretrial order will be due 30 days after Judge Mahan decides the now pending motion to dismiss
(ECF No.31) and any other motions filed before the July 1st deadline.

19 **Defendants' Position**

20 In support of the delay requested, defendants argue that issues in defendant Serrano's motion to
21 dismiss may eliminate substantive areas for summary judgment. They also argue that the absence of an
22 answer by defendant Serrano justifies the requested delay. Finally, defendants point out that some time
23 will be required for them to obtain the discovery sought from plaintiff's employers in accordance with
24 this court's May 11, 2021 Order on resolution of discovery disputes. (ECF No. 85).
25

1 **Plaintiff's Position**

2 In response, plaintiff argues that no additional non-frivolous dispositive motions are available to
3 either party, and pending employment records discovery goes only to damages, not liability.

4 **Analysis**

5 Granting defendants request would cause unnecessary delay. Minimal extra effort will be
6 required to include in their summary judgment motion the issues raised in defendant Serrano's pending
7 motions to dismiss, ECF No. 31. If Judge Mahan has not decided ECF No. 31 before the same issues
8 are raised in the summary judgment context, he can resolve both motions in one order.

9 Given the recent resolution of the last batch of pretrial disputes between the parties, 45 days is a
10 reasonable period for the parties to draft their substantive motions.

11 Accordingly,

12 IT IS HEREBY ORDERED that Defendant's Emergency Motion to Extend Dispositive Motion
13 Deadline ECF No. 87 is GRANTED in PART.

14 IT IS FURTHER ORDERED that dispositive motions, including any motion challenging the
15 United States Attorneys' certificate filed in this case (ECF No. 86), must be filed on or before July 1,
16 2021.

17 IT IS FURTHER ORDERED that the joint pretrial order will be due 30 days after Judge Mahan
18 decides the pending motion to dismiss (ECF No.31) and any other motions filed before the July 1st
19 deadline.
20

21 DATED this 18th day of May, 2021.

22 
23 _____
24 CAM FERENBACH
25 UNITED STATES MAGISTRATE JUDGE